

District of Columbia Courts

Capital Budget

2005

Name of Project: **Restoration of the Old Courthouse**

Agency: District of Columbia Courts

Account Title: Federal Payment to the District of Columbia Courts

Account Identification Code: 95-1712

Program Activity: Capital Improvements

New Project _____ Ongoing Project **X**

Was the Project Reviewed by the Executive Review Committee or Investment Review Board?

Yes **X** No _____

Is this project Information Technology? Yes _____ No **X**

Part I: Summary of Spending for Project Stages (in millions)

	2003 and earlier	2004	2005	2006	2007	2008	2009 and beyond	Project Total
Planning								
Budget Authority	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Outlays	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Full Acquisition								
Budget Authority	13.07	4.52	63.00	0.00	0.00	0.00	0.00	80.59
Outlays	13.07	4.52	63.00	0.00	0.00	0.00	0.00	80.59
Total, sum of stages (excludes maintenance)								
Budget Authority	13.07	4.52	63.00	0.00	0.00	0.00	0.00	80.59
Outlays	13.07	4.52	63.00	0.00	0.00	0.00	0.00	80.59
Maintenance								
Budget authority								
Outlays								

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Part II: Justification and Other Information

A. Project Description and Justification

(1) How does this investment support the Courts' mission and strategic goals?

The relocation of the Court of Appeals from its existing location in the Moultrie Courthouse to the Old Courthouse at 451 Indiana Avenue is a critical step towards meeting the space needs of the D.C. Court of Appeals, and providing critical additional space for Superior Court operations, including the newly formed Family Court, in the Moultrie Building. The readaptation of the Old Courthouse for modern day use as a functional courthouse includes restoration of this national historic landmark, expansion of the courthouse, and construction of an underground parking garage west of the historic building. The project will permit the adaptive use of this historic structure to house the highest court of the District of Columbia. The Restoration of the Old Courthouse Project is a recommendation of both the D.C. Courts Facilities Master Plan and the Judiciary Square Master Plan and has been fully integrated into the Courts' long-term strategy for achieving their mission and strategic goals.

The Old Courthouse, the centerpiece of Judiciary Square, is one of the oldest buildings in the District of Columbia and the site of many historical events. It is reported that President Abraham Lincoln signed the Emancipation Proclamation before a judge in one of the courtrooms in the Old Courthouse. Inside the Old Courthouse, Daniel Webster and Francis Scott Key practiced law and John Surratt was tried for his part in the assassination of President Lincoln. The architectural and historical significance of the Old Courthouse, built from 1821 to 1881, led to its listing on the National Register of Historic Places and its designation as an official project of Save America's Treasures. As recently as January 2000 the District of Columbia Courts used courtrooms and had chambers for judges in the Old Courthouse. The condition of the aging structure made it necessary for the courts and other occupants to vacate the building. With support of the Administration and Congress, the Courts have been able to "mothball" the building to prevent further deterioration. However, the structure is uninhabitable in its current condition and requires extensive work to meet health and safety building codes and to readapt it for use as a courthouse. This project will not only meet the critical space needs of the Courts by serving as a new site for the D.C. Court of Appeals, it will also impart new life to one of the most significant historic buildings in Washington, D.C. It will also meet the space needs of the Courts and benefit the community through an approach that strengthens a public institution, restores a historic landmark, and stimulates neighborhood economic activity.

The D.C. Courts have been working with the General Services Administration to develop a schedule and plan for completion of this project. Design drawings for the restoration and

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expansion are underway and the regulatory approval process has been initiated with the National Capital Planning Commission, Commission of Fine Arts, and D.C. Historic Preservation Office. Construction is scheduled to be completed in March 2007.

The National Law Enforcement Officers Museum has been granted legislative authorization to construct an underground museum with above-ground entrance pavilions on a portion of the Old Courthouse site (Public Law 106-492). The Courts have been coordinating the planning of these two projects in the Judiciary Square Master Plan. The Courts anticipate continuing to coordinate the design and construction of these two projects so that they complement one another and do not negatively impact each other.

The West Underground parking garage included in this project will be utilized by the D.C. Courts and U.S. Court of Appeals for the Armed Forces. Both Courts currently use surface parking north of the Old Courthouse. This parking must be relocated to allow for the expansion and renovation of the Old Courthouse. Construction of a new underground garage west of the Old Courthouse will provide secure parking for the District of Columbia Courts and the U.S. Court of Appeals for the Armed Forces.

(2) *How does this investment support a core or priority function of the Courts?* The restoration of the Old Courthouse is central to providing adequate space for the administration of justice in the District of Columbia. It will locate the highest jurisdictional court of the District of Columbia in a historic building of great importance to the District as well as one with recognized national significance. Completion of this project will promote efficient court operations by locating all functions of this jurisdiction's highest court, the D.C. Court of Appeals, in one building. At the same time, the move of this court to one building will provide much-needed space for efficient trial court operations by freeing space for trial court use. This investment supports the vision and mission of the Courts' Strategic Plan. A goal of the Courts is to improve court facilities and technology by providing personnel and court participants with a safe, secure, functional and habitable physical environment. The West Garage, included in this project, will provide a secure environment for judicial officers and staff, also contributing to a safe environment. The readaptation of the Old Courthouse for modern day use as a functioning courthouse will also provide a secure and functional environment for judicial officers and staff. Further, the restoration of this structure for court use will support the rehabilitation and revitalization efforts in the District of Columbia.

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- (3) Are there any alternative sources, in the public or private sectors that could perform this function? If so, explain why the Courts did not select one of these alternatives? There are no alternative entities in either the public or private sectors that could perform this function.
- (4) *How will this investment reduce costs or improve efficiencies?* This investment will address current and future space needs by co-locating the offices that support the Court of Appeals and by providing 37,000 sq. ft. of critically needed space for Superior Court functions in the existing Moultrie Courthouse. The Moultrie Courthouse was built in 1978 for 44 trial judges. Today with 62 trial judges and 24 magistrate judges in the Superior Court, 9 judges in the Court of Appeals, additional Senior Judges in both Courts, and additional administrative support staff, the Moultrie Courthouse is filled beyond capacity. Space is inadequate for high volume offices that serve the public, for court proceedings to occur in a timely manner, for court proceedings to occur with adequate security due to insufficient appropriately configured courtrooms (for example, domestic violence cases are held in small, cramped hearing rooms with single exits), and for the appropriate and secure storage of court documents and files (hallways and corridors are now used, which is both a confidentiality risk and fire hazard). The Courts have completed a Facilities Master Plan in December 2002 which documents their space deficiencies and have developed a capital implementation plan to address the space shortages. The Old Courthouse Restoration and Expansion is critical for this implementation and the improvement of all aspects of courtroom operations and efficiencies.

The District of Columbia Courts are partnering with the U.S. Court of Appeals for the Armed Forces on the West Parking garage structure. This investment partnership will reduce construction costs for the D.C. Courts and improve operational efficiencies through the shared use of resources in securing the garage.

- (5) *For acquisition of buildings, what is the cost per square foot estimates for comparable Federal and private sector facilities?* This project does not include the acquisition of buildings. It is a restoration of one of the most significant historic buildings in Washington D.C., a building that was designed for court functions and contains historic courtrooms.

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B. Program Management

- (1) *Have you assigned a project manager and contracting officer to this project? If so, what are their names?* The D.C. Courts have chosen to use General Services Administration resources to administer this project. The D.C. Courts Contracting Officer is Mr. Joseph E. Sanchez, Jr. and the GSA project manager is Mr. Len Weiser.
- (2) *How do you plan to use the Integrated Project Team to manage this project?* The Court will designate a Project Director to act as a liaison with the GSA management team. The Project Director will report to the Courts' Integrated Project Team which will include the Administrative Officer, Chief Capital Projects Manager, the Chief Building Engineer, the Building Operations Manager, and the Facility Supervisor. Scheduled progress meetings with the GSA and contractor will be conducted to ensure that the project is completed on schedule and within budget.

C. Acquisition Strategy

- (1) *Will you use a single contract or several contracts to accomplish this project? If multiple contracts are planned, explain how they are related to each other, and how each supports the project performance goals?* The architecture/engineering contract for the west garage and the renovation and expansion of the Old Courthouse will be through one contract. The construction projects will be awarded as two separate contracts.
- (2) *For each planned contract, describe:*
 - a. *What type of contract will you use? (e.g. cost reimbursement, fixed price, etc.)* The Courts will use a fixed price contract with the selected contractor.
 - b. *The financial incentives you plan to use to motivate contractor performance. (e.g. incentive fee, award fee, etc.)* The contractor shall be required to meet the terms of the contract without any additional financial incentives.
 - c. *The measurable contract performance objectives.* Measurable contract performance objectives will be developed on a task basis. The contractor will be required to submit a proposed construction timeline, which the GSA and Courts' team will use to track progress and ensure the timely completion of all construction objectives.
 - d. *How will you use competition to select suppliers?* The Courts will procure services through GSA contracts or schedules, which are competitively solicited.
 - e. *The results of your market research.* The D.C. Courts will take advantage of GSA procurement procedures that incorporate market research.

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f. Whether you will use off-the-shelf or custom designed projects. This project will require a custom designed solution.

D. Alternative Analysis and Risk Management

(1) Did you perform a life cycle cost analysis for this investment? If so, what were the results? On behalf of the GSA and D.C. Courts, Karn Charuhas Chapman & Twohey completed a cost analysis for this facility in 1999.

(2) Describe what alternatives you considered and the underlying assumptions of each. The D.C. Courts have been continuously maintaining and repairing the Old Courthouse after the D.C. Department of Public Works completed a feasibility study for the building in 1993. This study concluded that all systems of the building had exceeded their useful life, that health and safety issues existed, and that renovation of some kind was the most viable solution. The Courts considered renovating the building utilizing their own competitive sealed proposal method, but decided to instead utilize GSA project management and procurement services.

(3) Did you perform a benefits/costs analysis or return on investment analysis for each alternative considered? What were the results for each? (Describe any tangible returns that will benefit the Courts, even if they are difficult to quantify.) A benefits/costs analysis was performed for this project by Karn Charuhas Chapman & Twohey. The size of the garage and configuration relative to the Old Courthouse and Court of Appeals for the Armed Forces was examined. Underlying assumptions of the project included direct underground accessibility from the garage to the two courthouses and adequate distance to cause the least disturbance as possible to the existing foundations of the two adjacent buildings.

(4) Describe your risk assessment and mitigation plan for this project. Numerous borings have been completed for this project to determine the water table of the site, soil types, and the depth of foundations for the Court of Appeals for the Armed Forces and the Old Courthouse. These investigations assess the risks involved in locating a new underground structure adjacent to these historic buildings and have allowed for mitigation of potential risks.

Part III: Cost, Schedule, and Performance Goals

A. Description of performance-based management system (PBMS):

(1) Describe the performance based management system that you will use to monitor contract or project performance. The Courts' performance based management system will provide a

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tracking system with project milestones that permits early and ongoing warnings to ensure that projects do not exceed either their budgeted costs and/or time projections.

B. Original baseline (OMB approved at project outset):

(1) *What are the cost and schedule goals for this segment or phase of the project?* The cost and schedule goals for this phase of the project are as follows:

- Finalize design for the west garage.
- Bid and award the contract for the construction of the west garage.
- Finalize design documents for the Old Courthouse Renovation

(2) *What are the measurable performance benefits or goals for this segment or phase of this project?* Performance goals of the project are as follows:

- Obtain regulatory approval for the garage from the National Capital Planning Commission, Commission of Fine Arts, and D.C. Office of Historic Preservation.
- Finalize architectural and engineering construction documents for the project.

C. Current baseline (applicable only if OMB approved the changes):

(1) *What are the cost and schedule goals for this segment or phase of the project?* Not applicable.

(2) *What are the measurable performance benefits or goals for this segment or phase of this project?* Not applicable.

D. Actual Performance and Variance from OMB approved baseline (Original or Current): Not Applicable

E. Corrective Actions: Not Applicable